



MEETING OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY

Agenda

Cheryl Cox, Mayor/Chair

Rudy Ramirez, Council/Agency Member
Mitch Thompson, Interim Council/Agency Member
Pamela Bensoussan, Council/Agency Member
Steve Castaneda, Council/Agency Member

James D. Sandoval, City Manager/Executive Director
Bart Miesfeld, City Attorney/Agency Counsel
Donna Norris, City Clerk

CITY COUNCIL, REDEVELOPMENT AGENCY AND HOUSING AUTHORITY AGENDA

May 25, 2010
4:00 p.m.

Council Chambers
City Hall – Building 100
276 Fourth Avenue

CALL TO ORDER

ROLL CALL: Council/Agency Members Bensoussan, Castaneda, Ramirez, Thompson, and Mayor/Chair Cox

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- PRESENTATION OF A PROCLAMATION TO CYNDI PRICE, EXALTED RULER, AND JOSE CIBRIAN, ESQUIRE, FROM CHULA VISTA ELKS LODGE #2011, PROCLAIMING MAY 23 THROUGH MAY 29, 2010, AS YOUTH WEEK IN THE CITY OF CHULA VISTA
- PRESENTATION OF A CHECK IN THE AMOUNT OF \$20,000 BY SUZANNE CATANZARO, PRESIDENT, AND TINA WILLIAMS, PAST PRESIDENT, OF THE CHULA VISTA ROTARY CLUB FOR THE FINAL PAYMENT TOTALING \$100,000 FOR THE MEMORIAL BOWL RENOVATION
- PRESENTATION BY THE YOUTH ACTION COUNCIL COMMISSIONERS PROVIDING AN OVERVIEW FOR 2009-2010
- DID YOU KNOW about the City's Electrical Vehicle Project – Vehicle Rebate and Free Charger Opportunities?

CONSENT CALENDAR

(Items 1-10)

The Council/Agency will enact the Consent Calendar staff recommendations by one motion, without discussion, unless a Council/Agency Member, a member of the public, or staff requests that an item be removed for discussion. If you wish to speak on one of these items, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting. Items pulled from the Consent Calendar will be discussed immediately following the Consent Calendar.

1. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 RELATING TO THE ESTABLISHMENT OF UNCLASSIFIED POSITIONS (4/5THS VOTE REQUIRED) (SECOND READING AND ADOPTION)

The California Border Alliance Group (CBAG) has requested the addition of one new position, CBAG Deputy Director of San Diego Law Enforcement Coordination Center (SD-LECC), and reclassification of the CBAG Network Administrator I position, to CBAG Network Administrator II. This ordinance was introduced on May 11, 2010. (Police Chief)

Staff recommendation: Council adopt the ordinance.

2. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE CLOSURE OF CENTER STREET FROM THIRD AVENUE TO CHURCH AVENUE FOR THE THIRD AVENUE VILLAGE ASSOCIATION'S BLAST FROM THE PAST CAR SHOW FROM 3:00 P.M. TO 8:00 P.M. ON TUESDAY EVENINGS COMMENCING JUNE 15, 2010 AND ENDING AUGUST 31, 2010

Adoption of the resolution approves the temporary closure of Center Street so the Third Avenue Village Association (TAVA) may host the Blast from the Past Car Show season commencing on Tuesday evenings, June 15 and ending August 31, 2010. (City Manager)

Staff recommendation: Council adopt the resolution.

3. INVESTMENT REPORT FOR THE QUARTER ENDED MARCH 31, 2010

The quarterly Investment Report provides information on various cash balances, investment transactions and the status of the pooled investment portfolio in accordance with the Government Code and the City's Investment Policy. (Director of Finance)

Staff recommendation: Council accept the report.

4. QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDED MARCH 31, 2010

RESOLUTION OF THE CITY COUNCIL, AND HOUSING AUTHORITY OF THE CITY OF CHULA VISTA AMENDING FISCAL YEAR 2009/2010 BUDGET IN ACCORDANCE WITH THE COUNCIL POLICY ON FINANCIAL REPORTING AND TRANSFER AUTHORITY AND APPROPRIATING FUNDS THEREFOR (4/5THS VOTE REQUIRED)

Section 504 (f) of the City Charter requires quarterly financial reports to be filed by the Director of Finance through the City Manager. For government entities, a budget creates a legal framework for spending during the fiscal year. After the budget is approved, there are circumstances that arise that could require adjustments to the approved budget. Council Policy No. 220-02 "Financial Reporting and Transfer Authority" was established in January of 1996 and allows for budget transfers to be completed. Appropriations are requested for the Housing Authority, Public Liability Trust Fund and Traffic Signal Fee Fund. (Director of Finance)

Staff recommendation: Council/Authority adopt the resolution.

5. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE PERFORMING AND VISUAL ARTS TASK FORCE'S SELECTION OF THE FISCAL YEAR 2010/2011 PERFORMING AND VISUAL ARTS GRANTS RECIPIENTS AND MONETARY GRANT AWARDS TOTALING \$55,550

In 1997, the City Council approved a Sublease with Live Nation, Inc (formerly Universal Concerts) that established a process whereby ticket sales proceeds at the Cricket (formally Coors) Amphitheater would be paid to the City and utilized for a Performing and Visual Arts Fund. This fund is to be used for arts grants to the Chula Vista community for the purpose of promoting and stimulating the growth of performing and cultural arts within the City of Chula Vista. This year, the Chula Vista Public Library received \$55,828 from Live Nation for its 2009 Concert Series, an increase of over \$12,800 from the previous year. (Director of Library)

Staff recommendation: Council adopt the resolution.

6. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE APPLICATION FOR NATURE EDUCATION FACILITY PROGRAM FUNDS (SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006)

The City is required to certify by resolution, the approval of the grant application before submission of said application to the State. The City proposes to apply for Nature Education Facility Program grant funding and has identified the Rice Canyon Interpretive Area as a project. If approved, the City will enter into a contract with the State of California to complete the grant scope project. (Director of Public Works)

Staff recommendation: Council adopt the resolution.

7. A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING FOR FILING, THE FINAL ENGINEER'S REPORT FOR GLENHAVEN WAY ASSESSMENT DISTRICT 2008-01

- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE DEFERRAL OF ASSESSMENTS AND ESTABLISHING THE RATE OF INTEREST OF FIVE PERCENT (5%) PER YEAR AND THE FINANCING PERIOD OF A MAXIMUM OF TEN YEARS APPLIED TO THE DEFERRALS FOR GLENHAVEN WAY ASSESSMENT DISTRICT 2008-01
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMOUNTS OF THE FINAL ASSESSMENTS FOR PROPERTIES WITHIN ASSESSMENT DISTRICT 2008-01, AUTHORIZING THE PLACEMENT OF LIENS IN THE AMOUNT OF THE ASSESSMENTS ON THE RESPECTIVE PROPERTIES, AND AUTHORIZING THE COLLECTION OF THE ASSESSMENTS AT THE SAME TIME AND IN THE SAME MANNER AS OTHER CITY PROPERTY TAXES AND ASSESSMENTS ARE COLLECTED BY THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO

On February 3, 2009, the City Council adopted Resolution No. 2009-026, certifying the results of the public hearing and Assessment District ballot tabulation, and ordering the installation of improvements pursuant to the Improvement Act of 1913 (the "Block Act") and Article XIID of the Constitution of the State of California (Article XIID). On February 17, 2009, the City Council adopted Resolution No. 2009-034 awarding a contract in the amount of \$516,812.25 to Hillcrest Contracting Inc., for the construction of the "Glenhaven Way Improvements Between First Avenue and Amy Street in the City of Chula Vista, California (STL-304)" Project. The work is now complete and adoption of the resolution accepts filing of the Engineer's Report on the cost of construction, approves the deferral of assessments and establishes the rate of interest and financing period applied to said deferrals, and authorizes the collection of assessments on the County tax roll. (Director of Public Works)

Staff recommendation: Council adopt the resolutions.

8. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A MAP SHOWING THE PROPOSED BOUNDARIES FOR SECOND AVENUE ASSESSMENT DISTRICT NO. 2009-02, APPROVING THE PRELIMINARY ENGINEER'S REPORT, SETTING THE TIME AND PLACE FOR A PUBLIC HEARING, AND ORDERING THE INITIATION OF BALLOT PROCEEDINGS

On November 17, 2009, by Resolution No. 2009-270, the City Council accepted a signed petition from 42 of the 59 owners of residential properties along Second Avenue between Naples Street and Palomar Street, requesting that special assessment district proceedings be commenced. The Resolution also declared the City Council's intention to initiate proceedings to consider the formation of an assessment district and directed the preparation of the required Engineer's Report for the proposed assessment district. Staff has completed the Preliminary Engineer's Report. Adoption of the resolution approves an assessment district boundary map, approves the Preliminary Engineer's Report, sets the time and place for a public hearing to consider the establishment of the Second Avenue Assessment District, and orders the initiation of ballot proceedings regarding formation of the proposed Second Avenue Assessment District. (Director of Public Works)

Staff recommendation: Council adopt the resolution.

9. A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ORDERING THE SUMMARY VACATION OF A PORTION OF EAST EL CAPITAN DRIVE LYING ADJACENT TO THE PROPERTIES LOCATED AT 102 AND 103 EAST EL CAPITAN DRIVE
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA QUITCLAIMING THE VACATED PORTION OF EAST EL CAPITAN DRIVE TO THE OWNERS OF THE ADJACENT PARCELS DRIVE LOCATED AT 102 AND 103 EAST EL CAPITAN DRIVE (APN'S 575-091-13-00 AND 575-100-21-00)

During the City's winter program of replacing failing metal storm drain pipes, it became necessary to obtain an easement from the owners of the property on E. El Capitan Drive. As a part of the negotiations to acquire this easement at no cost to the City, it was agreed that staff would request a vacation of the excess portion of the street and quitclaim it to the two adjacent property owners. (Director of Public Works)

Staff recommendation: Council adopt the resolutions.

10. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING THE CONTRACT FOR THE "SIDEWALK REPLACEMENT AT VARIOUS LOCATIONS IN THE CITY OF CHULA VISTA, CALIFORNIA FISCAL YEAR 2009/2010 JY065P" PROJECT TO SC CONSTRUCTION, INCORPORATED IN THE AMOUNT OF \$77,775.88

On April 28, 2010, the City received sealed bids for this project. The project was included in the annual Public Works Street Maintenance budget to remove and replace curbs, gutters, sidewalks, and driveways displaced by street trees on various City streets. (Director of Public Works)

Staff recommendation: Council adopt the resolution.

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC COMMENTS

Persons speaking during Public Comments may address the Council/Agency on any subject matter within the Council/Agency's jurisdiction that is not listed as an item on the agenda. State law generally prohibits the Council/Agency from discussing or taking action on any issue not included on the agenda, but, if appropriate, the Council/Agency may schedule the topic for future discussion or refer the matter to staff. Comments are limited to three minutes.

PUBLIC HEARINGS

The following item(s) have been advertised as public hearing(s) as required by law. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.

11. CONSIDERATION OF ADOPTING AN AMENDED MASTER FEE SCHEDULE

Staff recommendation: Council continue the public hearing to June 8, 2010.

ACTION ITEMS

The Item(s) listed in this section of the agenda will be considered individually by the Council/Agency and are expected to elicit discussion and deliberation. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.

12. REPORT REGARDING POTENTIAL UPDATES TO THE CITY'S DESIGN MANUAL TO PROVIDE SUSTAINABLE DESIGN GUIDELINES

As a way to provide guidelines for implementing sustainability measures in smaller projects, staff is proposing to update the City of Chula Vista Design Manual to provide guidance on site design measures that provide for energy efficiency, water conservation, air quality improvement, and greenhouse gas reduction. The measures would include a combination of site design features intended to encourage smart growth community site design principles, provide pedestrian friendly environments, support alternate travel modes (e.g., transit, bicycling), aide energy conservation, and support reductions in vehicles miles traveled and air pollution. (Deputy City Manager/Development Services Director)

Staff recommendation: City Council accept the report discussing the potential design concepts for sustainable development and provide any comment and direction to staff to prepare detailed design guidelines to be added to the Design Manual.

13. CONSIDERATION OF THE PROPOSED FISCAL YEAR 2010/2011 OPERATING AND CAPITAL IMPROVEMENT BUDGETS FOR ALL CITY, REDEVELOPMENT AGENCY AND HOUSING AUTHORITY FUNDS

Adoption of the resolutions approves the City Manager's proposed Spending Plan for the Operating and Capital Improvement Budgets for the City, Redevelopment Agency, and Housing Authority for fiscal year 2010/2011. The Spending Plan reflects the City Manager's recommended allocation of resources for the coming fiscal year taking into account the continued impact of the economic recession. The City Council considered and approved the Spending Plan for the General Fund at the April 13, 2010 Council Meeting. This report provides an overview of the proposed fiscal year 2010/2011 Operating and Capital Improvement budgets for all City, Redevelopment Agency, and Housing Authority funds. (Director of Finance)

Staff recommendation: Council/Agency/Authority adopt the following resolutions:

- A. RESOLUTION OF THE **CITY COUNCIL** OF THE CITY OF CHULA VISTA APPROVING THE SPENDING PLAN FOR THE OPERATING AND CAPITAL IMPROVEMENT BUDGETS FOR THE CITY OF CHULA VISTA EXCLUDING CAPITAL IMPROVEMENT PROJECTS LB144, PR311, STL337, STM370, AND OP212 FOR THE FISCAL YEAR ENDING JUNE 30, 2011

- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SPENDING PLAN FOR THE CAPITAL IMPROVEMENT BUDGET FOR PROJECTS LB144, PR311, AND STL337 FOR THE FISCAL YEAR ENDING JUNE 30, 2011
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SPENDING PLAN FOR THE CAPITAL IMPROVEMENT BUDGET FOR PROJECT STM370 FOR THE FISCAL YEAR ENDING JUNE 30, 2011
- D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SPENDING PLAN FOR THE CAPITAL IMPROVEMENT BUDGET FOR PROJECT OP212 FOR THE FISCAL YEAR ENDING JUNE 30, 2011
- E. RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA APPROVING THE SPENDING PLAN FOR THE OPERATING AND CAPITAL IMPROVEMENT BUDGET FOR THE REDEVELOPMENT AGENCY FOR THE SOUTHWEST/ TOWNE CENTER II/OTAY VALLEY/ADDED AREA PROJECT AREA FOR THE FISCAL YEAR ENDING JUNE 30, 2011
- F. RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA APPROVING THE SPENDING PLAN FOR THE OPERATING AND CAPITAL IMPROVEMENT BUDGET FOR THE REDEVELOPMENT AGENCY FOR TOWNE CENTER I AND THE BAYFRONT PROJECT AREAS FOR THE FISCAL YEAR ENDING JUNE 30, 2011
- G. RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF CHULA VISTA APPROVING THE SPENDING PLAN FOR THE OPERATING BUDGET FOR THE HOUSING AUTHORITY FOR THE FISCAL YEAR ENDING JUNE 30, 2011

OTHER BUSINESS

14. CITY MANAGER/EXECUTIVE DIRECTOR'S REPORTS

15. MAYOR/CHAIR'S REPORTS

Ratification of appointment of Tim Jones and London Meservy to the Board of Appeals & Advisors

16. COUNCIL/AGENCY MEMBERS' COMMENTS

ADJOURNMENT City Council and Redevelopment Agency adjourns to the next regular meeting on June 1, at 4:00 p.m., in the Council Chambers. Housing Authority adjourns to its next regular meeting.

Materials provided to the City Council/Redevelopment Agency related to any open-session item on this agenda are available for public review at the City Clerk's Office, located in City Hall at 276 Fourth Avenue, Building 100, during normal business hours.

***In compliance with the
AMERICANS WITH DISABILITIES ACT***

The City of Chula Vista requests individuals who require special accommodations to access, attend, and/or participate in a City meeting, activity, or service, contact the City Clerk's Office at (619) 691-5041 at least forty-eight hours in advance of the meeting.